

MINUTES OF ANNUAL GENERAL MEETING

The Owners – Strata Plan No 68927
13 HUME BOULEVARD, KILLARNEY VALE, NSW, 2261

These are the minutes of the Annual General Meeting for The Owners – Strata Plan No 68927 held at Meeting room 2, Level 1 / 159 Mann Street, Gosford, NSW, 2250 commencing at 3.31pm on Thursday 18 January 2024.

Pursuant to Regulation 14 (1) (b) of the *Strata Schemes Management Regulation 2016 (NSW)*, pre-meeting electronic voting was authorised for this meeting.

Lots Represented

<u>Lot No</u>	<u>Name</u>
1	by Jill Kirkwood
3	by Brendan McGrath

In Attendance

Cathy Avery representing BCS Strata Management Pty Ltd.

Chairperson

Cathy Avery representing BCS Strata Management Pty Ltd under delegated authority

Secretary

Cathy Avery representing BCS Strata Management Pty Ltd under delegated authority

Apologies

Nil

Motions

1. MINUTES

- 1.1 That the minutes of the last general meeting of the Owners Corporation, held on 02/02/2023, be confirmed as a true record of the proceedings of that meeting.

MOTION CARRIED

2. COMPLIANCE MEASURES

2.1 Annual Fire Safety Statement

That the Owners Corporation confirms that there are no fire safety measures at the strata scheme and therefore an annual fire safety statement is not required.

Cautionary note from the managing agent: *This motion in no way infers that the strata manager has any knowledge of the existence of any essential fire safety measures that may be present. Your strata manager is not a certified practitioner and as such, is unable to confirm what fire measures are present and/or should be present at your property. We note that an incorrect assessment of these measures may impact your insurance policy coverage in the event of a fire. If you are unsure about the presence of measures, we urge that an expert be engaged, as per motion 2.2, to attend your building and review what fire safety equipment should be in place appropriate for your property's development criteria)*

MOTION CARRIED

- 2.2 That the Owners Corporation resolves to obtain, from local council, the strata plan occupation certificate including final fire safety measures that are required to be installed at the building.

MOTION LOST

- 2.3 That the Owners Corporation resolves that the strata manager is to engage an accredited practitioner (fire safety) who is accredited in Fire Safety Assessment and appropriately qualified to undertake assessment of each fire safety measure to:

- a. ensure all fire safety measures are maintained in accordance with the *Environmental Planning and Assessment Regulation*; and,
- b. declare that each fire safety measure has been assessed by an appropriately qualified accredited practitioner (fire safety); and,
- c. issue the fire safety statement accordingly.

MOTION LOST

- 2.4 That the Owners Corporation authorise the managing agent, building manager or strata committee to sign such documents as may be necessary in relation to the lodgement of the next Annual Fire Safety Statement. If required, this authority includes the managing agent affixing the common seal of the Owners Corporation in accordance with the Act.

MOTION LOST

2.5 Window safety devices

That The Owners – Strata Plan No 68927 confirm, pursuant to section 118 of the *Strata Schemes Management Act 2015*, that window safety devices are not necessary as the strata scheme is exempt from this legislation.

MOTION CARRIED

2.6 Safety Audit Report

That the owners corporation appoint a consultant to undertake a safety audit report of the strata scheme to identify any risks that may affect the common areas.

MOTION LOST

2.7 Asbestos Survey

That the owners corporation review the asbestos survey report prepared by BIV Reports on 25/01/2013 and what actions have been taken to date and those yet to be undertaken.

Note: Telecommunications pit removed in 2022. Advise insurer of this

MOTION CARRIED

2.8 **Other compliance measures**

That the owners corporation consider any additional compliance matters for the scheme and determine any appropriate action (if required).

MOTION CARRIED

3. UTILITIES AGREEMENTS

3.1 That the owners corporation consider any current agreements for the Supply of electricity, gas, or any other utility relevant to the owners corporation and determine any action required.

MOTION CARRIED

3.2 That the owners corporation instruct the strata managing agent to engage the services of an energy broker to assist the committee with the negotiation of utility agreement/s and for these purposes be authorised to sign a letter of authorisation with the broker.

MOTION LOST

3.3 That the owners corporation authorise a representative of the committee to liaise with the appointed energy broker.

MOTION LOST

3.4 That the owners corporation authorise the committee to evaluate the analysis from the energy broker and approve new utility agreement/s on behalf of the owners corporation, if required.

MOTION LOST

3.5 That the owners corporation authorise:

- a. two members of the committee to sign approved single-site utility agreement/s on behalf of the owners corporation; and
- b. the strata managing agent to sign approved multi-site utility agreement/s on behalf of the owners corporation.

MOTION LOST

4. INSURANCES

4.1 That the owners corporation confirm that the following insurance policies are currently in place:

Current Insurance Details – Strata Unit Underwriters

Policy Number	Current To	Risk Type	Coverage Amount
06S8949428	26/01/2024	Floating Floors	Included
		Building Catastrophe	\$210,774.00
		Lot Owner's Fixtures and Improvements	\$250,000.00
		Legal Defense Expenses	\$50,000.00
		Workplace Health & Safety - Breaches	\$100,000.00
		Government Audit Costs	\$25,000.00
		Voluntary Workers	\$200,000.00 / \$2,000.00
		Office Bearers Liability	\$1,000,000.00
		Fidelity Guarantee	\$100,000.00
		Property, Death and Injury (Public Liability)	\$20,000,000.00
		Damage (i.e. Building) Policy	\$1,405,163.00
		Loss of Rent	\$210,774.00
		Paint	Included

Date on which the premiums were last paid: **16/01/2023**

MOTION CARRIED

4.2 That the insurances of the owners corporation be extended to include any additional optional insurances not covered in the above table.

MOTION LOST

4.3 That the owners corporation confirm that it does NOT employ workers with total annual wages exceeding \$7,500.00 and therefore will not require workers compensation insurance for the coming year.

MOTION CARRIED

4.4 That the owners corporation acknowledges their obligation to provide/disclose to the insurer, either upon renewal or throughout the period of the policy, any item requiring disclosure under the policy including a Work, Health and Safety report, defects report and the like.

MOTION CARRIED

4.5 That the owners corporation authorise the managing agent to renew insurances in accordance with the insurer or insurance broker's recommendation in circumstances where alternate instructions are not received from the strata committee prior to the renewal date.

MOTION CARRIED

5. COMMISSIONS AND TRAINING SERVICES

- 5.1 That the owners corporation note a report by the managing agent, in the agenda explanatory note, in regards to the commissions that have been paid and training services received in the last year and those commissions likely to be paid and training services provided to the managing agent in the coming year.

MOTION CARRIED

6. VALUATION

- 6.1 That the owners corporation obtain a replacement cost estimate (valuation) for insurance purposes.

MOTION LOST

- 6.2 That the managing agent be authorised to adjust the building sum insured in line with the insurance valuation upon receipt.

MOTION LOST

7. AUDITOR

- 7.1 That an auditor be appointed and that auditor be Kelly & Partners.

MOTION LOST

8. CAPITAL WORKS FUND PLAN

- 8.1 That the owners corporation confirms receipt of the capital works analysis prepared by AM Watts on 11/09/2020.

MOTION CARRIED

9. RESTRICTED MATTERS

- 9.1 That there be no additional restrictions placed on the strata committee other than those currently imposed by Section 36 (3) of the Act.

MOTION CARRIED

- 9.2 That in the event the preceding motion is defeated the owners corporation determine restrictions to be placed on the strata committee.

MOTION LAPSED

10. GST REGISTRATION

- 10.1 That the Owners Corporation resolves to confirm its current GST non-registration.

MOTION CARRIED

11. ENGAGEMENT OF CONTRACTORS

11.1 That the owners corporation acknowledges that the managing agent will not issue a Work Order or engage any contractors for the provision of any goods or services, unless they have complied with the minimum requirements set out in the table below.

Minimum requirements	<ul style="list-style-type: none">• Must be registered as a business for tax purposes in Australia• Must have a minimum \$10 million Public & Product Liability Insurance (in respect of each and every occurrence and unlimited in aggregate for any one period of cover)• Must have a minimum \$1 million Professional Indemnity Insurance (where applicable)• Must have Statutory Workers Compensation Insurance for all employees or Personal and Accident Insurance as a Sole Trader• Must hold all licences as relevant to services provided• Must have an established Quality Management system (Consultants only)• Must have an established Health & Safety Management system• Must accept PICA Group Terms and Conditions of engagement and Business Code of Conduct.
Definitions:	<ul style="list-style-type: none">• Contractor: means a person or organisation that is engaged, on a temporary basis, to undertake a particular task and includes consultants who provide recommendations and/or specialist professional advice.• Work Order: means a written order providing specific or blanket authorisation to a contractor to proceed with the provision of specific goods or services without further instructions.

MOTION CARRIED

12. ACCOUNTING RECORDS AND BUDGET

12.1 That the financial statements including the statement of key financial information for the period ended **31/10/2023** be adopted.

MOTION CARRIED

12.2 That estimated receipts and payments (budget) for the administrative fund and the capital works fund as attached to this agenda be adopted as amended.

MOTION AMENDED AND CARRIED

13. CONTRIBUTIONS

- 13.1 That contributions to the administrative fund are estimated in accordance with Section 79(1) of the Act and determined in accordance with Section 81(1) of the Act at \$13,650.00 inclusive of GST in instalments set out in the table below:

Levy Status	Due date	Amount
Already Issued	01/12/2023	\$2,647.00
To be Issued	01/03/2024	\$3,461.00
To be Issued	01/06/2024	\$3,461.00
To be Issued	01/09/2024	\$3,461.00
Total		\$13,650.00

inclusive of GST

MOTION AMENDED AND CARRIED

- 13.2 That contributions to the capital works fund are estimated in accordance with Section 79(2) of the Act and determined in accordance with Section 81(1) of the Act at \$123.00 inclusive of GST in instalments set out in the table below:

Levy Status	Due date	Amount
Already Issued	01/12/2023	\$123.00
To be Issued	01/03/2024	\$0.00
To be Issued	01/06/2024	\$0.00
To be Issued	01/09/2024	\$0.00
Total		\$2,939.00

inclusive of GST

MOTION AMENDED AND CARRIED

- 13.3 That the administrative fund and capital works fund contributions be continued at quarterly intervals until further determined:

Administrative Fund Interim Periods

Levy Status	Due date	Amount
To be Issued	01/12/2024	\$3,464.00
Total		\$3,464.00

inclusive of GST

Capital Works Fund Interim Periods

Levy Status	Due date	Amount
To be Issued	01/12/2024	\$0.00
Total		\$0.00

inclusive of GST

MOTION AMENDED AND CARRIED

14. LEVY COLLECTION PROCEDURES

14.1 That the Owners – Strata Plan 68927, for the purpose of collecting levy contributions, interest and recovery costs thereon and pursuant to the Act (including section 103 of the Act), authorise the strata managing agent and/or the strata committee to do any of the following:

- a. Levy Recovery Step 1: issue a reminder levy notice 35 days after the levy due date;
- b. Levy Recovery Step 2: issue 1st levy recovery letter 60 days after the levy due date;
- c. Levy Recovery Step 3: issue 2nd levy recovery letter 75 days after the levy due date;
- d. Levy Recovery Step 4: 106 days after the original date the levy was due, and where the debt is in excess of \$500.00, or another amount determined by the strata committee, appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation of solicitors, barristers and/or experts on behalf of The Owners – Plan No 68927 to issue a letter of demand and/or to commence, pursue, continue or defend any court, tribunal or any other proceedings against any lot owner, mortgagee in possession and/or former lot owner in relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- e. Enforce any judgment obtained in the collection of levy contributions including commencing and maintaining bankruptcy or winding up proceedings,
- f. Filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- g. Liaise, instruct and prepare all matters with the owners corporations debt collection agents, lawyers and/or experts in relation to any levy recovery proceedings.

MOTION CARRIED

14.2 That the Owners – Strata Plan 68927, delegate and authorise the functions to the **strata committee** to make changes to the above debt recovery process on behalf of the owners corporation from time-to-time as they see fit.

MOTION CARRIED

14.3 That the Owners – Strata Plan 68927, for the purpose of collecting levy contributions, interest and recovery costs thereon and pursuant to the Act (including section 103 of the Act), authorise the strata committee to approve payment plans generally or for specific lot owners.

MOTION CARRIED

15. TERMITE INSPECTION AND PEST CONTROL

15.1 That the Owners Corporation instructs the Strata Managing Agent to engage an appropriately licensed contractor to carry out an inspection of the common areas for termites.

MOTION LOST

15.2 That the Owners Corporation instructs the Strata Managing Agent to engage an appropriately licensed contractor to carry out treatment of the common areas for cockroaches, ants and spiders.

MOTION LOST

16. GUTTER CLEANING

16.1 That the Owners Corporation instructs the Strata Managing Agent to engage an appropriately licensed contractor to carry out gutter cleaning and to confirm frequency of gutter cleaning.

MOTION LOST

17. LETTER BOXES AND LOT 1 GATE

- 17.1 That the owners corporation provide further instruction in relation to painting the letterboxes and lot 1 gate.

Note: Strata committee to action this repair.

MOTION CARRIED

18. DATE FOR NEXT ANNUAL GENERAL MEETING

- 18.1 That the Owners Corporation determines the next Annual General Meeting to be held on Thursday, 16 January 2025 at 3.30pm in the offices of BCS Strata Management, Gosford or via teleconference whichever is applicable at the time.

MOTION CARRIED

19. STRATA COMMITTEE NOMINATIONS

- 19.1 That nominations for election to the strata committee be received, declared and recorded. Nominations received prior to the issuing of this notice are noted below under "Election of Committee".

MOTION CARRIED

- 19.2 That candidates for election to the strata committee disclose any connections with the original owner (developer) or building manager in accordance with the Act.

MOTION CARRIED

- 19.3 That the number of members of the strata committee be determined as 2.

MOTION CARRIED

20. STRATA COMMITTEE ELECTION

Jill Kirkwood, Brendan McGrath have been elected to the committee.

Jill Kirkwood	Lot 1	Self-nominated
Brendan McGrath	Lot 3	Self-nominated

Notes to strata manager

Send letter to Trustee and Guardian in relation to unit 2 being vacant since owner passed away in relation to concerns raised by the strata committee in relation to possibility of vermin inside unit and courtyard, rubbish left inside courtyard.

Closure

There being no further business the Chairperson declared the meeting closed at 4.10pm.

Strata Company Professional Standards Disclosure

Liability limited by a scheme approved under Professional Standards Legislation.

MINUTES OF COMMITTEE MEETING

The Owners – Strata Plan No 68927
13 HUME BOULEVARD, KILLARNEY VALE, NSW, 2261

These are the minutes of the Committee Meeting for The Owners – Strata Plan No 68927 held at Meeting room 2, Level 1 / 159 Mann Street, Gosford, NSW, 2250 commencing at 4.10pm on Thursday 18 January 2024.

Pursuant to Regulation 14 (1) (b) of the *Strata Schemes Management Regulation 2016 (NSW)*, pre-meeting electronic voting was authorised for this meeting.

Represented

Name

Jill Kirkwood

Brendan McGrath

In Attendance

Cathy Avery representing BCS Strata Management Pty Ltd.

Chairperson

Cathy Avery representing BCS Strata Management Pty Ltd under delegated authority

Secretary

Cathy Avery representing BCS Strata Management Pty Ltd under delegated authority

Apologies

Nil

Motions

1. DISCLOSURE OF PECUNIARY INTERESTS

- 1.1 That any direct or indirect pecuniary (financial) interest held by a member of the committee in relation to a matter being considered at this meeting be declared. Further, that the members resolve how that declaration shall be accommodated at the meeting (where applicable).

MOTION CARRIED

2. MINUTES

- 2.1 That the minutes of the last Strata Committee meeting, held on **02/02/2023**, be confirmed as a true record and account of the proceedings at that meeting.

MOTION CARRIED

3. PRE-MEETING ELECTRONIC VOTING

- 3.1 That the Strata Committee consent to the conduct of future committee meetings to be held via electronic means including pre meeting electronic voting as directed and determined by the secretary.

MOTION CARRIED

4. OFFICE BEARERS

- 4.1 That the chairperson, secretary and treasurer of the Strata Committee be appointed.

Chairperson/Treasurer – Brendan McGrath
Secretary – Jill Kirkwood

MOTION CARRIED

5. REPRESENTATIVE AND SUBSTITUTE REPRESENTATIVE

- 5.1 That Jill Kirkwood, a member of the Committee be nominated to liaise with the managing agent and be the scheme's contact point.
- 5.2 That Brendan McGrath, a member of the Committee be nominated to liaise with the managing agent as the scheme's substitute contact point.

Closure

There being no further business the Chairperson declared the meeting closed at 4.15pm.

Strata Company Professional Standards Disclosure

Liability limited by a scheme approved under Professional Standards Legislation.